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February 7

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SEP 22 1998

CONCORD, N.H.

Mr. James J. Barry, Commissioner
Department of Public Welfare
State House Annex
Concord, New Hampshire

Re: Mitchell Novak - APTD - Claremont

Dear Mr. Barry:

This is in response to your request of February 6th, for our opinion as to whether assistance granted to the above named APTD recipient in the nature of reimbursement for household equipment purchased by Mr. Novak must be paid directly to him or whether the assistance may be applied toward the reduction of certain outstanding bills.

We understand that the Board of Public Welfare held a hearing on January 27th, on Mr. Novak's appeal from the decision of the Claremont District Office. The Board has decided to award additional assistance to reimburse Mr. Novak for a refrigerator and dinette set that he has purchased. In making payments on these items he has fallen in arrears in his electric and gas bills to the extent of \$39.21. In addition he has purchased an oil heater for \$69.50. The question raised in your letter is whether the Board must pay the additional grant of assistance directly to Mr. Novak or whether it may apply the additional sum toward reduction of the outstanding bills for electricity, gas and the oil heater.

It is the opinion of this office that the Board of Public Welfare by virtue of its supervisory and rule making powers (RSA 161:4) is authorized to follow either of the proposed plans of payment.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/T